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Attorneys for Plaintiff Adavco, Inc.

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

Adavco, Inc.,
Plaintiff,
v.

Deertrail Development LLC, et al.,
Defendants.

Case No. 1:23-cv-695-JLT-SKO

Notice of Application for Default Judgment by
Adavco Inc. against Defendant McIntosh &
Associates Engineering, Inc.

Hearing Date: January 4, 2024
Time: 9:00 am
Courtroom: Courtroom 4
Judge: Thurston

To Defendants:

Please take notice that on Thursday January 4th at 9:00am or soon thereafter as this matter may be heard at the above-entitled Court, Robert E. Coyle United States Courthouse, 2500 Tulare Street, Fresno, CA 93721, Courtroom 4, 7th floor, by the Honorable Jennifer Thurston, presiding; Plaintiff will present its Application for Default Judgment against Defendant McIntosh & Associates Engineering, Inc. The Clerk entered the default of said Defendant on 8/03/2023 (Dkt. 26).

1 This application is based on the Notice herein, the Memorandum of Points and
2 Authorities, Declaration of Annette Davis, Declaration of Brian Tamsut filed concur-
3 rently herewith, and the pleadings, files and other matters that may be presented at the
4 hearing.

5 At the time and place of the hearing Plaintiff will present evidence of the fol-
6 lowing:

- 7 1. Defendant McIntosh & Associates Engineering, Inc. never held title to
- 8 any of the disputed tract maps.
- 9 2. Despite never owning the maps, Defendant received payment of \$2.7
- 10 million for the maps.
- 11 3. Plaintiff is entitled to all proceeds of the sale of the maps.

12
13
14 December 1, 2023

/s/ Brian Tamsut

Brian Tamsut

Michael Harris

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Attorney for Plaintiff Adavco, Inc.